IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE EIGHTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 18703 of 2004

Between:

Gogula Pedda Hanumantha Rao, S/o. Venkateswarlu,
R/o Sankavarapupadu, Addanki Mandal, Prakasam District.

..... PETITIONER

AND

The Deputy Director, A.P. Khadi & Village Industries Board,
Ongole, Prakasam District.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ of Mandamus or any other appropriate writ, order or direction declaring the notice of sale dated 25-08-2004 issued by the respondent as illegal, arbitrary, violative of principles of natural justice and contrary to the procedure contemplated under the A.P. Revenue Recovery Act and consequently to set aside the said notice.

Counsel for the Petitioner: Mr. K. Chidambaram

Counsel for the Respondent: Smt. R. Annapurna.

The Court made the following at the admission stage:

O R D E R:

This writ petition is filed questioning the sale notice, dated 25-08-2004, whereunder the sale was scheduled to be held on 23-10-2004. This Court by an order, dated 14-10-2004, granted interim stay of the sale subject to the condition that the petitioner deposits a sum of Rs.1,00,000/- on or before 04-11-2004.

Today, when the matter is taken up for consideration, Smt. R. Annapurna, learned counsel appearing for the first respondent, under instructions states that the petitioner did not deposit the amount so far and the conditional order granted by this Court has not been complied with. The learned counsel for the petitioner did not dispute the same. In the circumstances, the interim stay stands vacated and consequently, the writ petition, which is rendered infructuous, shall also stand dismissed.

The writ petition is accordingly dismissed. No order as to costs.

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(**G.ROHINI, J)**

Date:08-11-2004

Note:

Office to issue C.C. in two days.

B/o

ghn

To

1 The Deputy Director, A.P. Khadi & Village Industries Board,
Ongole, Prakasam District.

2 Two CD copies.